

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

OLIVIA Y., *et al.*

PLAINTIFFS

V.

CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the State of Mississippi, *et al.*

DEFENDANTS

**JOINT MOTION FOR ADMISSION *PRO HAC VICE*  
OF GRACE M. LOPES**

Plaintiffs and Defendants in the above captioned case, by and through their undersigned counsel and pursuant to Rule 83.1(A) (2) of the Uniform Local Rules for the Northern and Southern Districts of Mississippi, jointly apply to this Court for an order permitting Grace M. Lopes to be admitted *pro hac vice* by comity for this case and would show the Court the following:

1. Ms. Lopes serves as the Court-appointed Monitor in the above-captioned matter. She is a non-resident who is not a member of the Mississippi bar and is not authorized to practice before the Mississippi Supreme Court.

2. Ms. Lopes was admitted to practice law in the District of Columbia in 1981, and is a member in good standing in that jurisdiction. Ms. Lopes is admitted to practice before the United States District Court for the District of Columbia. A copy of Ms. Lopes' Certificate of Good Standing for the U.S. District Court for the District of Columbia is attached as Exhibit A.

3. Ms. Lopes has extensive civil and criminal litigation experience in both the public and private sectors. She also has served as a Special Master appointed by the United States District Court for the District of Columbia and the United States District Court for the District of

Maryland in eight class action lawsuits. In addition to her appointment as the Monitor in the above-captioned matter, Ms. Lopes currently serves as the court-appointed Special Arbiter in a class action lawsuit pending before the Superior Court of the District of Columbia. Her office address is 1875 Connecticut Avenue, N.W., Suite 650, Washington, D.C. 20009. The telephone number is (202) 232-8311 and the facsimile number is (202) 232-2052.

4. Ms. Lopes is familiar with the Uniform Local Rules of the United States District Courts for the Northern and Southern Districts of Mississippi. *See* Certification of Grace M. Lopes, attached as Exhibit B.

5. Ms. Lopes will be associated with W. Wayne Drinkwater, Jr. of Bradley Arant Rose & White LLP, and Dewitt L. (“Rusty”) Fortenberry Jr., of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, both members in good standing of the Mississippi Bar.

WHEREFORE, the parties respectfully request that this Court grant this Motion for Admission *Pro Hac Vice* of Grace M. Lopes.

RESPECTFULLY SUBMITTED, this 16<sup>th</sup> day of January, 2009.

/s/ Dewitt L. (“Rusty”) Fortenberry, Jr.  
Dewitt L. (“Rusty”) Fortenberry Jr.  
Kenya Key Rachal, Esq.  
Gretchen L. Zmitrovich, Esq.  
Ashley Tullos Young, Esq.  
BAKER, DONELSON, BEARMAN, CALDWELL &  
BERKOWITZ, PC  
428 I-55 North  
Meadowbrook Office Park  
Jackson, MS 39211  
(601) 351-2400

Harold E. Pizzetta, III, Esq.  
Assistant Attorney General  
General Civil Division  
Carroll Gartin Justice Building  
430 High Street

Jackson, MS 39201

*Attorneys for Defendants*

/s/ W. Wayne Drinkwater, Jr

W. Wayne Drinkwater, Jr. (MBN 6193)  
BRADLEY ARANT ROSE & WHITE LLP  
188 East Capital Street, Suite 450  
Jackson, Mississippi 39201  
(601) 948-8000

Stephen H. Leech (MBN 1173)  
850 East River Place, Suite 300  
Jackson, Mississippi 39202  
(601) 355-4013

Marcia Robinson Lowry (MBN 43991 *pro hac vice*)  
Eric E. Thompson (MBN 43993 *pro hac vice*)  
Shirim Nothenberg (MBN 43990 *pro hac vice*)  
Jessica Polansky (MBN 45356 *pro hac vice*)  
CHILDREN'S RIGHTS  
330 Seventh Avenue  
New York, New York 10001  
(212) 683-2210

John Lang (MBN 43987 *pro hac vice*)  
Christian Carbone (MBN 43986 *pro hac vice*)  
John Piskora (MBN 44474 *pro hac vice*)  
LOEB & LOEB LLP  
345 Park Ave.  
New York, New York 10154  
(212) 407-4000

PLAINTIFFS' COUNSEL

**CERTIFICATE OF SERVICE**

I hereby certify that on January 16, 2009, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following

W. Wayne Drinkwater, Jr. (MBN 6193)  
BRADLEY ARANT ROSE & WHITE LLP  
188 East Capital Street, Suite 450  
Jackson, Mississippi 39201  
(601) 948-8000

Stephen H. Leech (MBN 1173)  
850 East River Place, Suite 300  
Jackson, Mississippi 39202  
(601) 355-4013

Marcia Robinson Lowry (MBN 43991 *pro hac vice*)  
Shirim Nothenberg (MBN 43990 *pro hac vice*)  
Jessica Polasnký (MBN ----- *pro hac vice*)  
CHILDREN'S RIGHTS  
330 Seventh Avenue  
New York, New York 10001  
(212) 683-2210

John Lang (MBN 43987 *pro hac vice*)  
Christian Carbone (MBN 43986 *pro hac vice*)  
John Piskora (MBN 44474 *pro hac vice*)  
LOEB & LOEB LLP  
345 Park Ave.  
New York, New York 10154  
(212) 407-4000

*PLAINTIFFS' COUNSEL*

/s/ Dewitt L. ("Rusty") Fortenberry, Jr.  
Dewitt L. ("Rusty") Fortenberry Jr.